

September 30, 1966

## CONGRESSIONAL RECORD — HOUSE

guage at a more rapid rate than in others it is felt that not all of the some 186 languages and dialects of Indian and Eskimo people within the United States will require a full translation of the New Testament or other Biblical texts. In the case of the Navajo, however, this has proved a help and a blessing to numerous native speakers of the language. For the Comanches it would appear that the time for translation has gone by since most Comanches are bilingual or speak only English. Work among the Florida Seminoles, with the assistance of a friendly Indian agent, would seem to indicate a strong positive possibility of a need for translations.

One solution for the problem of reaching Indians today by Biblical translation may lie in the "diglot," which is simply a version of the old-fashioned "pony" "crib" or "trot" by the help of which some of us may have learned our Caesar, Cicero or Vergil in our Latin courses. Those who learn to read their own language soon learn to read the second language and are assisted in their understanding of the relations between the two. Such devices may provide for the more rapid adoption of English by the Indian tribe than would be the case if the native language were never used for publication. In 1949 the Cherokee Scripture Committee of Westville, Okla., published a diglot in Cherokee and English of the Gospel according to John. In 1948 the American Bible Society published a Navajo-English diglot of the Gospel according to John. The American Bible Society, Broadway and 61st Street, New York City, N.Y., published a book entitled "Bible Translating, An Analysis of Principles and Procedures With Special Reference to Aboriginal Languages" by Dr. Eugene A. Nida in 1947 which furnishes invaluable aid to those interested in such matters. Information on this subject may also be obtained from Wycliffe Bible Translators, Post Office Box 1960, Santa Ana, Calif.

In this day of computers and automation some question might be raised as to the possibility of machine translation of scriptural texts into various Indian languages. The answer to this question is given by Dr. Eugene A. Nida in his recent book entitled, "Toward a Science of Translating, With Special Reference to Principles and Procedures Involved in Bible Translating."

In Dr. Nida's opinion there are certain basic limitations in machine translating particularly because computers are incredibly less complicated than the human brain. Despite the ability of a computer to do certain calculations much faster than man it can only do what it is told to do in the line of certain arithmetic operations and for certain logical operations. Language forms themselves must be translated into technical jargon in order to adapt to the limitations of the computer. Although machines may eventually be developed for "low grade" translation of certain technical documents of a highly specialized nature, the attainment of literary quality cannot be expected. There is no danger of the missionary translators of

the Bible being put out of a job by machines.

This brings me to the final point that I would like to make, the enormous debt which we owe to the missionary translators of the Scriptures into American Indian languages. I can think only of the highest words of praise for their efforts and for their choice of life tasks in the endeavor to be of service to God and humanity. It has been said that the harvest is great but the laborers are few. How true this is when we contemplate the history of Bible translating. These men sacrificed the comforts of fireside and home to go out to undeveloped, preliterate peoples, seeking to carry the light to all men. They appear to these people like angels of God, carrying the message of love and hope and faith to the ends of the earth.

(Mr. NELSEN (at the request of Mr. DEL CLAWSON) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

[Mr. NELSEN'S remarks will appear hereafter in the Appendix.]

## RETIREMENT OF ARTHUR KROCK

(Mr. GERALD R. FORD (at the request of Mr. DEL CLAWSON) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, I have learned with real regret of the retirement tomorrow of Mr. Arthur Krock, of the New York Times. It is not accurate to salute him as the dean of Washington correspondents, because after 60 years in journalism he retains the energy and curiosity of the newest newcomer, and the only evidence of his vintage is the mellow wisdom and humanity of what he writes. I hope we all will have the continued privilege of reading Mr. Krock's contributions, as the spirit moves him, for years to come.

## THE UNITED STATES AND THE WAR IN VIETNAM

(Mr. GERALD R. FORD (at the request of Mr. DEL CLAWSON) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, on September 20, 1966, the Planning and Research Committee of the Republican Conference of the House of Representatives released a document analyzing the history of the relations between the United States and Vietnam from 1950 to the present time. The title of the document is "The United States and the War in Vietnam."

Several Members of his House on the other side of the aisle uttered strong criticism of this document before they had had an opportunity to read it. None of the critics, then or later, denied the accuracy of any of the statements contained in this report.

I have, however, received from the Secretary of Defense a letter contending

that the pamphlet reports an inaccurate reference to him which was made by a news commentator, Eric Sevareid.

I am most anxious that no injustice be done to Secretary McNamara. Let me point out, however, that the Secretary's quarrel is really with Mr. Sevareid and not with our report. The pamphlet, "The United States and the War in Vietnam," faithfully reported what Mr. Sevareid wrote about Secretary McNamara in the November 30, 1965, issue of Look magazine and it clearly indicated that the statement to which Secretary McNamara objects rested on Mr. Sevareid's authority.

The point which the white paper on Vietnam is making was that President Johnson was not candid when he declared in the spring and summer of 1965 that "there has not been the slightest indication that the other side is interested in negotiation." This point is established beyond question regardless of whether Mr. McNamara or Mr. Sevareid are correct on the issue of whether Secretary McNamara played a part in discouraging a meeting which U Thant thought could be arranged between American and North Vietnamese representatives around the time of the 1964 election. There had been a peace feeler, a peace feeler that was rejected and kept quiet by the Johnson administration.

This point has been admitted by the Department of State. The New York Times of November 16, 1965, reported:

The State Department confirmed today a report that a year ago the United States rejected an offer by North Vietnam to have representatives of the two nations meet in Rangoon, Burma, to discuss terms for ending hostilities in Vietnam.

Robert J. McCloskey, State Department press officer, said that during that period the United States received reports from numerous third parties who had contacts with officials of North Vietnam.

On the basis of the total evidence available to us, we did not believe at any time that North Vietnam was prepared for serious peace talks, Mr. McCloskey said.

Secretary McNamara is an honorable man and Mr. Sevareid is a responsible reporter. Mr. Sevareid's article in Look contained the following passage:

In the early autumn of 1964, he (Adlai Stevenson) went on, U Thant, the UN Secretary-General, had privately obtained agreement from authorities in North Vietnam that they would send an emissary to talk with an American emissary, in Rangoon, Burma. Someone in Washington insisted that this attempt be postponed until after the Presidential election. When the election was over, U Thant again pursued the matter; Hanoi was still willing to send its man. But Defense Secretary Robert McNamara, Adlai went on, flatly opposed the attempt. He said the South Vietnamese government would have to be informed and that this would have a demoralizing effect on them; that government was shaky enough, as it was.

Stevenson told me that U Thant was furious over this failure of his patient efforts, but said nothing publicly.

Time was passing, the war expanding. The pressures on U Thant, supposedly the Number One peacemaker of the globe, were mounting from all sides within the UN. So he proposed an outright cease-fire, with a truce line to be drawn across not only Vietnam but neighboring Laos. U Thant then made a remarkable suggestion: United States

officials could write the terms of the cease-fire offer, exactly as they saw fit, and he, U Thant, would announce it in exactly those words. Again, so Stevenson said to me, McNamara turned this down, and from Secretary Rusk there was no response, to Stevenson's knowledge.

Mr. Severeid in the course of this article, which deals with his last interview with Adlai Stevenson, wrote that he had "a sense of certainty" that he was reporting accurately what Stevenson had said to him.

We have written Mr. Severeid, inviting his comment on Secretary McNamara's denial of the statements which are in dispute. In the interest of accuracy I hope that Mr. McNamara and Mr. Severeid are able to reach agreement about the events on which they disagree.

I ask that a press release of the Defense Secretary, dated November 15, 1965, asserting "There is not one word of truth in the remarks made about me or the position attributed to me in the article"—written by Eric Severeid in *Look* magazine—be included in the RECORD.

[Press release No. 809-65, Nov. 15, 1965]

The following statement was made today by Secretary of Defense Robert S. McNamara: "The report in the current issue of *Look* Magazine that on two occasions during the Fall and Winter of 1964 I opposed peace talks with North Vietnam is totally false. It is stated that the Secretary General of the United Nations obtained an agreement from North Vietnam to explore the possibility of peace talks with the United States, but that I opposed such talks and therefore they were not held.

"There is not one word of truth in the remarks made about me or the position attributed to me in the article.

"My position has long been known. It is that we should search in every possible way for a peaceful settlement in Vietnam and should be prepared for unconditional discussions with the governments concerned, in large groups or small ones, at any time and any place.

"That was my position in 1964. It is my position today. And it will continue to be my position. Allegations or speculation to the contrary are without any substance whatever and are harmful to the people and government of the United States."

#### WHERE THE TAXPAYERS' MONEY GOES

(Mr. ASHBROOK (at the request of Mr. DEL CLAWSON) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ASHBROOK. Mr. Speaker, with the rising cost of living and with the current talk of a pending increase in taxes, more and more citizens are watching their pennies more closely. It might not be remiss for them also to scrutinize the various uses for which their tax dollars are being expended by the Federal Landauer in the *Wall Street Journal*, entitled "Building Award to McCloskey Could Cost Taxpayers \$4 Million," is illustrative of the many cases in which citizens' hard-earned taxes go down the drain. I insert the above-mentioned column in the RECORD at this point:

#### BUILDING AWARD TO MCCLOSKEY COULD COST TAXPAYERS \$4 MILLION, TREASURY CONCEDES (By Jerry Landauer)

WASHINGTON.—Government officials concede that Democratic fund-raiser Matthew H. McCloskey's good fortune in landing the \$12.8 million contract to build the Philadelphia mint could cost the taxpayers at least \$4 million.

In further reply to Republican accusations of favoritism to the construction company Mr. McCloskey founded, embarrassed Treasury officials also are retracting in part earlier claims to Congress that getting the new mint built fast would save scads of money.

Thus does the Government explain the paradox of how Mr. McCloskey's concern benefited both from a clamorous urgency to build and from a subsequent decision to stretch out the construction. "This time Matt's people were lucky, that's all," one official asserted. Another said Big Government's cumbersome decision-making processes compounded the luck.

Meantime the General Services Administration, the Government's contracting agency, has accepted the company's contention that strikes and snowstorms were responsible for failure to meet an April 3 deadline imposed by a separate \$2.7 million contract for the mint's substructure. The GSA decision relieved the company of perhaps \$300,000 in potential penalties.

#### BYPASSING SEALED BIDS

On the bigger contract for the superstructure, the company's streak of luck began in May when the GSA, pressed by the Treasury, bypassed normal sealed competitive bidding for urgency's sake. Officials decided that selecting the contractor through the assertedly faster method of negotiated procurement was necessary to help lick the coin shortage.

Besides, as Assistant Treasury Secretary Robert A. Wallace told a House Appropriations subcommittee on March 3, "the funds you approved for the construction of the new mint in Philadelphia will enable us to save the taxpayers approximately \$1 million a month when we put these new, fully integrated facilities into operation in 1967."

Moving at full tilt in disregard of a Cabinet meeting April 1 at which President Johnson directed a slowdown in Government construction to douse inflationary fires, the GSA on May 27 invited contractors to submit proposals that would serve as a starting point for negotiations. In response on June 24, the GSA received two quotes from McCloskey & Co.: \$13,227,565 to complete the job in 18 months and \$17,195,834 if the work had to be compressed into 12 months. These quotes were, respectively, \$447,565 and \$3,384,384 higher than those submitted by a competitor, J. W. Bateson & Co., of Arlington, Va.

Despite the presumed necessity for speed, the GSA didn't start negotiations with the contractors. Instead, it waited until June 29 for Mr. McCloskey's son, Thomas, the company president, to drop by with revised proposals that undercut Bateson's. McCloskey & Co.'s new quotes lopped \$545,000 from its original 18-month price. And for the 12-month period, McCloskey proposed a far bigger bargain, \$4,102,269 below the first quote.

#### SEEMING GIANT BARGAIN

At first glance, McCloskey & Co.'s ability to chop more than \$4 million from its 12-month construction proposal seemed to offer a giant bargain indeed. Completing the mint in a year would cost the Government just \$411,000 more than if 18 months were allowed, the revised McCloskey proposals stated. Matched against Assistant Secretary Wallace's \$1-million-a-month estimate of savings, the somewhat higher cost of compressing the construction timetable seemed trivial; by getting the mint in operation quickly; tax-

payers could save \$5.6 million—if the estimate given Congress was accurate.

Mr. Wallace's testimony, Treasury officials say, was based on presumably careful calculations compiled under the direction of Eva Adams, director of the Mint. By her estimate, operating the new Philadelphia facility would be \$125,000 a month more efficient than the old. In addition, the new mint would save from \$750,000 to \$1,181,000 every month (depending on the rate of coin production) by melting, rolling and casting coin strip; the old mint buys strip from contractors at higher cost. Even at the lower rate, the six-month saving comes to \$4.5 million, or \$4.1 million net if the total is reduced by the higher cost of compressing construction.

Yet when decision day for awarding the contract arrived on June 29 the Treasury ignored the claims Miss Adams had pressed on Congress to help extract construction appropriations. Treasury Under Secretary Joseph Barr declined the McCloskey 12-month bargain, in part, the Treasury says, "because he didn't believe previous estimates of savings given by the mint were correct." Instead, Mr. Barr recommended and the GSA awarded McCloskey & Co. an 18-month contract for \$12,682,565, just \$97,000 below the losing quote submitted by Bateson & Co.

One reason given for the change was the rapid disappearance of the coin shortage, which reduced projected estimates of coin production. And, as an aide explains, "she (Miss Adams) got carried away. She's a promoter, you understand. Her heart and soul is in this new mint."

President Johnson's April request to stretch out Government construction was another factor prompting Mr. Barr to rein in the GSA's pell-mell rush to get the mint built, though that rush was still deemed sufficient in May to justify the negotiated procurement by which McCloskey & Co. won the construction contract.

(Mr. ASHBROOK (at the request of Mr. DEL CLAWSON) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

[Mr. ASHBROOK'S remarks will appear hereafter in the Appendix.]

(Mr. ELLSWORTH (at the request of Mr. DEL CLAWSON) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

[Mr. ELLSWORTH'S remarks will appear hereafter in the Appendix.]

#### A POSITIVE REPORT ON A CHILD DEVELOPMENT CENTER

(Mr. WIDNALL (at the request of Mr. DEL CLAWSON) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WIDNALL. Mr. Speaker, no Federal program can claim to be above improvement, and the war on poverty effort is certainly no exception to that fact. One of the most important means of learning how to change and upgrade the approach in use is to study the successes, the examples of positive results, and build on this experience. I would suggest that one of the most useful ex-

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Office furniture has been contributed and newly purchased. All office machines are new.

At present, we do not anticipate major equipment expenditures for the coming year. However, we know that replacements will continue to be needed in all departments.

## SUMMARY

Since the establishment of the Leonard Johnson Day Nursery School, the community has become increasingly aware of the services of the school and the quality of these services. Many parents who would not be reached last year or who took an attitude of "wait and see" are now applying for a place for their children. The demand and the need for day care services in this area exceeds by far the facilities available. The school stopped taking names when the waiting list reached one hundred forty names. Since sixty-two parents have applied to have their child in the school again next year, either on a full day or after kindergarten basis, and ten siblings have been assured preferential admittance, only sixteen new places can be filled if all the previous children are accepted.

Volunteer and aide programs have progressed satisfactorily, but a more intense program is planned for the next year when the addition of an administrative assistant will free the educational director from some jobs unrelated to the actual program.

The aim of the nursery school staff has been to strengthen children emotionally, to help them to become increasingly more independent physically and to make it possible for each child to move forward in acquiring the skills necessary for school as well as for everyday life.

The evaluations of the children's progress by the staff and the on-going interviews between parents and caseworker show clearly that the individual attention children have received has helped them to progress in many areas. A follow-up with the public schools is planned for the children that will go to kindergarten in the fall.

The parents of all children that reached the age of four during the past year have re-applied for another year and in order to keep the established contact with the families, siblings have been accepted first to fill any vacancies. Caseworker and staff alike felt it was most important to build further on this contact and trust that has evolved. Parents not only come for frequent guidance but also feel free to give their own suggestions in matters pertaining to the school. They make their needs known and are involved enough in the school to attend "fixing days" aside from regular meetings. Mothers, and particularly fathers, have built equipment, fixed broken chairs and tables, and have painted whatever was necessary.

The school has become a living part of the community and the increasing interest and awareness of the program is clearly shown through the active participation and the many requests for services from the most needy people in the community.

## ALTERNATIVES TO CURRENT COURSE IN SOUTHEAST ASIA

(Mr. GOODELL (at the request of Mr. DEL CLAWSON) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GOODELL. Mr. Speaker, the scholarly white paper prepared by the House Republican Conference entitled "The United States and the War in Vietnam" has attracted considerable attention in the country. It was made a part of the CONGRESSIONAL RECORD at page 22376 on September 20, 1966.

As a historical document dealing with events leading up to the present, it does not seek to outline future policy.

As an example of the interest generated in the academic world, I am pleased to insert at this point in the RECORD a communication from Prof. David M. Leach, the highly respected chairman of the department of history and political science at Alfred University, Alfred, N.Y. I am proud to say that Professor Leach is a resident of my congressional district and that Alfred University is also part of that district.

Professor Leach raises the question of alternatives to current policy. In addition to his letter, I enclose a copy of my reply together with an enclosure:

ALFRED UNIVERSITY,

Alfred, N.Y., September 20, 1966.

Representative CHARLES GOODELL,  
House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN GOODELL: The New York Times account of the statement released over the signatures of Representatives FORD, LAIRD and yourself is extremely disheartening. Whatever the wise course in Southeast Asia may be, it would certainly seem that you have neither suggested any feasible alternative to current policy nor made any constructive contribution to the current national debate. Instead, if one can trust Benjamin Welles account, you have rather confused the issue by suggesting by implication that there is some way to end the war "more speedily and at a smaller cost" while "safeguarding the independence and freedom of South Vietnam." Considering the gravity of the issue involved, what is one to make of such a statement? To suggest that there is some cheap way to resolve the tragic conflict in Vietnam is a cruel hoax, a fact of which I am sure that you and your colleagues are well aware. Hitherto the Republicans in Congress have shown exemplary restraint and responsibility in avoiding the temptation to exploit the Vietnamese affair for partisan advantage. It is unfortunate that the House leadership has seen fit to depart from that policy.

If the Welles account misrepresents your statement and I have been unduly hasty in my criticism, I apologize for that. In any event, I would appreciate a copy of the statement in question so that I may draw my own conclusions. I would be very interested in any statement you may wish to make concerning our Asian policy, and, in particular, am interested to know what of any alternative to current policy that you may be prepared to support.

Sincerely yours,

DAVID M. LEACH,

Chairman, Department of History and  
Political Science.

SEPTEMBER 29, 1966.

Prof. DAVID M. LEACH,  
Chairman, Department of History and Political  
Science,  
Alfred University,  
Alfred, N.Y.

DEAR PROFESSOR LEACH: Thank you for your letter of September 20 expressing your views on newspaper accounts of the contents of our recent white paper on Vietnam. I am happy to send you a copy of this document so that you may draw your own conclusions.

As you are aware, a white paper, by definition, is designed to provide the historical background of an existing situation and not to prescribe future policy. The State Department has issued two white papers on Vietnam, neither of which deals with future policy. Although the State Department papers have been criticized in some quarters as inaccurate or misleading, no critic, to the best of my knowledge, condemned them on

the ground that they did not look into the future.

It is quite legitimate for a political party to recount past events and to appraise critically the policy of the past. Historians do this sort of thing all the time.

I suggest, therefore, that the white paper be judged for what it professes to be. Is it an accurate statement, though necessarily a summary one, of the development of American policy toward Vietnam? Does it make a persuasive case for its conclusions that the Administration has expressed its objective in confused and contradictory terms? Does it demonstrate that the Administration has been less than candid with the public about the military situation in Vietnam, the mission of American troops, war costs, casualties, and peace feelers? Does it demonstrate that past policy encouraged miscalculation by the enemy in Vietnam?

If you grant that there is some validity to this criticism of Administration policy, should the opposition party remain silent about the Administration's past errors? I feel that it is the responsibility of the Minority Party to point out the deficiencies of past policy and to ask the public whether it wants to rely on those who have made these mistakes to guide this nation in the future.

If you contend that this review of the past should be supplemented by a Republican statement of steps which the United States ought to take in the future to deal with the problems of Vietnam, I would not quarrel with you. I do not, however, consider this an argument against issuing a review of past actions.

The Administration made it necessary for Republicans to issue a document of this kind. Administration spokesmen from the President on down have consistently sought to blame the Eisenhower Administration for the present American military involvement in Vietnam. In this connection I enclose a copy of remarks made by my colleague, MELVIN R. LAIRD of Wisconsin, in response to one such Administration effort. When the Administration distorts history, it is the responsibility of the Minority Party to set the record straight.

Sincerely yours,

CHARLES E. GOODELL,  
Member of Congress.

EXCERPTS FROM STATEMENT OF REPRESENTATIVE MELVIN R. LAIRD, REPUBLICAN, OF WISCONSIN, DURING DEBATE ON DEFENSE SUPPLEMENTAL APPROPRIATION BILL FOR 1966

Mr. Speaker, on March 4, 1966, the Department of State issued through the Office of its Legal Adviser an important document entitled, "The Legality of United States Participation in the Defense of Viet Nam."

The document was prepared to combat the persistent criticism from certain Democratic Members of the Congress that this nation is acting illegally in using American military power in Vietnam.

With the major thesis of this document, I have no quarrel. A compelling case for the right of the United States under international law to use its military forces to assist in the defense of South Vietnam against aggression can certainly be made.

I am grieved, however, to find that the State Department chose to distort history in this publication when it came to explain the commitments which have resulted in the involvement of the United States in the war in Vietnam. The distortion is of two kinds: First, the document ignores completely some highly relevant facts. Secondly, it misleads by failing to analyze fully the declarations which it cites, sometimes conveying thereby a false impression of their import.

In summary, this document argues that the present military involvement of the nation in Vietnam was made necessary by pledges made by President Eisenhower and

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had individual interviews with their child's teacher. Some were scheduled on Saturdays to make these meetings possible without the parent having to miss work.

## 8. SOCIAL SERVICES

The amount of children the school serves and the success of the case work done during the past year, would indicate the great need of such services. One case worker, now employed, is actually not sufficient to serve the parents of 88 children, and an additional part-time worker is needed to carry on and enlarge the scope of our operation in this area.

*Early organization*

The Casework Office of the Leonard Johnson Day Nursery School has grown and developed as the school has grown and developed in its efforts to meet and serve the needs of our community. It was felt that an intake interview with parents requesting day-care for their pre-school children should be handled by a professional caseworker, providing more meaningful information in terms of the needs to be served. Those initial interviews clearly revealed the fact that there were innumerable pre-school children in need of proper care. Very young children were exposed to inadequate and damaging care during the most tender and sensitive period in the development of the child's personality. For example: a blind elderly lady was taking care of as many as seven children from different mothers; a mother who had to work and could not even afford to pay a baby sitter left her children at the mercy of any kind neighbor; baby-sitters discontinued their services and children had as many as three or four baby sitters during periods as short as three or four months. Children who had been exposed to these conditions showed evidence of delayed, arrested, or thwarted emotional development. Most of the mothers, as they described their children to the caseworker, revealed evidence of a great variety of early emotional disturbances. Many of the children were still wetting; had speech difficulties, didn't know how to express themselves and communicate to others; didn't show a proper motor coordination for their age; showed varied degrees of anxiety and personality disorganization; had difficulties relating to other children and/or adults; were victims of fears; had undue difficulties when faced with a new situation or experience; displayed unusual aggressive behavior, etc.

With a good nursery experience as the essential service to be offered through the day care center, a different dimension in service had to be provided by the Casework Office. Its effectiveness is a combination of the caseworker's understanding and performance. This is fostered and enriched by a most responsive group of teachers who have been eager and willing to participate, learn and develop in their understanding of children and parents, and the use of themselves as responsible professionals.

*Day care center*

The Leonard Johnson Day Nursery School provides care to children from 8:00 a.m. to 5:30 p.m. when the last child leaves. It offers a full nursery school experience but is also a day care center. Most of our children spend more than six hours a day in the school. It is a full day for a young child, away from his mother. Because of this, it presents special adjustment problems to both child and mother. To meet and to deal with these problems, the school is more than a nursery school, it is a social agency. When a mother has to work and a very young child faces this early separation, an emotional problem is created. It provokes anxieties, feelings, emotions in both children and mothers that must be dealt with in a constructive fashion. It is at this point that the function of the professional caseworker comes into action.

*The casework relationship*

The casework relationship involves knowledge of personality and behavior. It involves a dynamic re-assessment of the caseworker's role. This knowledge is self-consciously used through a professional relationship directed at all times toward helping another human being to help himself. The caseworker is an effective third party who is used by people as a sounding board, as one who can help people to think out loud, one who helps them to re-examine their ideas and feelings, who helps them to make their own meaningful choices. It is based on the most basic respect of human dignity and the right of each individual to a decent, fruitful, resourceful life. A caseworker could only function in this capacity after professional training, development and emotional maturity and in constant and continuous learning and re-evaluation of the professional responsibilities.

As the teachers began reporting the difficulties of children in adjusting to the school, their inability to cope with the separation from the mother, their difficulty in coping with still another new situation (for the ones who had been going from baby-sitter to baby-sitter), the reaction of mothers to the school and to the teachers, the caseworker moved in to help parents and teachers to meet the challenge.

*Work with parents*

While helping children to adjust to the nursery experience and the long separation from home, parents have been reached when called upon to help to facilitate that adjustment. In the process, a casework relationship with parents has been developed. It has been used to help parents to understand their children. Reactions, responses, behavior of their children in the nursery school has been shared and discussed with them. Help has been offered to deepen their understanding of their child's needs, the problems they are facing, and how the school was trying to help. Parents were helped to be able to help meet those needs, work with those problems. A four year old child that steals could very well be saying to all of us he has a deep need for love not met. A confused, upset young mother can be helped to understand the meaning of such behavior and—more important—motivated to meet the need for that love and attention in spite of a full day's work schedule and the pressures of a one-parent family. The little boy who wants to grow to be a "mommy" is a sign of an unusual attachment to the mother and that mother can be helped to ease the relationship and permit her child to move ahead in his emotional development. A mother can be helped to cope with the disorganized behavior of a child that she did not understand.

Through this relationship, parents have discovered that their own feelings, emotions and problems were part of the child's problems. A professional casework relationship developed. In other settings, this casework relationship might not have developed. The Nursery School offers an easier atmosphere, becomes more acceptable, and people have been reached and helped to start in an effort to help themselves to understand their problems, capacities, strengths and emotions. A diversity of methods and techniques have been used in terms of the ability to use help, individual capacity for growth and development within the context of cultural and social traditions and their way of life. Usual casework techniques, ways of communication were not always adequate for developing a relationship with many of the parents. The caseworker modified these by offering short, frequent contacts centered on basic factors related to the school and the child that helped to pave the way toward the professional relationship. Frequency and length of interviews were adjusted to the individual parents. Home calls have been used only

when requested by the parents. Understanding of their children and themselves has been offered through a supportive approach where explanation, clarification and teaching have been introduced. Deeper understanding of problems, emotions and feelings have been offered as parents have moved to make use of the caseworker. People have been able to use such help as they have experienced the casework relationship and discovered for themselves that the caseworker does not judge, criticize or blame, or tell them how to run their lives and raise their children.

Special efforts are constantly made to reach those who have not responded.

*Casework activity*

Sixty-five families were served; of these: Twenty-one families are receiving intensive attention.

Three families received intensive attention before the children were taken out of school.

Twelve families received casework services, but with less intensity.

Six families are receiving intensive care from other agencies of the community. Of this group, 4 needed intensive help at intake, admission of child to the school and preparation to establish or re-establish the professional relationship with the agency who was to serve them. The agencies involved are Family Counseling and the Bureau of Children's Services.

Twenty-three received limited services. Of this group, 8 need intensive service, but have not reacted to reach-out techniques. At the time this report is being prepared, one of the 8 families has shown a slight reaction toward the casework relationship.

Fourteen children and their families didn't receive casework services as no specific need was detected.

One hundred and fourteen intake interviews from May 19, 1965 to December 31, 1965

Sixteen intake interviews so far for next Fall

Two families seen at intake have received intensive attention after intake because of the seriousness of their problems. One is already receiving care by the Bureau of Children's Services; the other is still under the care of this Office; both involved poverty, mental illness with pre-school children.

Two hundred and two office interviews excluding intake.

Twenty-three home calls.

Twenty-eight office interviews with collaterals.

Forty-six telephone contacts with parents.

Thirty-nine telephone contacts with collaterals.

Five case conferences with other agencies.

Discussions and meetings with teachers and observation of children in rooms have not been recorded for accounting purposes. Short personal and telephone cases were not recorded for accounting purposes although used within the professional relationship.

## 9. EQUIPMENT AND SUPPLIES

The Federation purchased education equipment for 35 children to the amount of \$1,318.00 from the former owners of the Day Nursery. Additional new equipment was purchased to open the School last fall for 88 children. During the year, replacement of cots, chairs, and playground equipment has been necessary and has far exceeded the original budget allotment.

If the Day Nursery had not received sizable contributions of cash from interested local organizations, the Day Nursery would have been forced to operate below adequate standards for a major portion of the year. The Junior League, Junior Women's Club, and Selected Ladies of Englewood (a service club of older Negro women from the target area) were three local organizations who responded to this serious emergency.

Office and kitchen equipment have been contributed during the year. New kitchen equipment included a freezer, replacement of a dishwasher, and replacement of a stove.



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President Kennedy. It does not cite a single utterance by President Johnson. It suggests that the present Administration had nothing at all to do with any commitment to Vietnam.

This document contains a section of six pages, headed, "The United States Has Undertaken Commitments To Assist South Vietnam In Defending Itself Against Communist Aggression From The North." The evidence which it then presents to prove the existence of the commitment of the Eisenhower Administration is the following: the statements of President Eisenhower at the end of the Geneva Conference of 1954, the SEATO Treaty, the assistance given by the United States to South Vietnam after the Geneva Conference, and a joint communique issued by Eisenhower and Diem on May 11, 1957. This is followed by a citation of two statements made by President Kennedy on August 2, 1961 and December 14, 1961.

Then, abruptly, the State Department's history of the commitment of the United States to South Vietnam ends.

Equally strange is the section of this document captioned, "Actions by the United States and South Vietnam are Justified under the Geneva Accords of 1954." The actions of the United States which are described in this section are the supply of "considerable military equipment and supplies from the United States . . . prior to late 1961" and the establishment of an American Military Assistance Advisory Group of "slightly less than 900 men" in Saigon. Further the document relates, ". . . the United States found it necessary in late 1961 to increase substantially the numbers of our military personnel and the amounts and kinds of equipment introduced . . . into South Vietnam."

And there, abruptly, the State Department ends its account of the military action of the United States in South Vietnam.

If some future catastrophe were to destroy every written record of the relations of the United States and Vietnam during the 1950's and 1960's except the State Department's publication, "The Legality of United States Participation in the Defense of Viet Nam," the historian who tried to reconstruct the facts from this document would write something like this:

"Two Presidents of the United States—Presidents Eisenhower and Kennedy—involved their nation in a war to defend South Vietnam against aggression from North Vietnam. Their pledges of support to South Vietnam led to the sending of military supplies, to the despatch of 900 military advisers, and in 1961 to the commitment of substantial numbers of American troops.

"This conflict may have been going on in Vietnam as late as 1966 under another President of the United States whose name is not recorded. In that year the Department of State issued a document upholding the legality of the actions of Presidents Eisenhower and Kennedy."

Mr. Speaker, this manipulation of history should give us all deep concern. When our Department of State releases a report of this kind, I fear we are closer to 1984 than the calendar indicates. This is the kind of propaganda that makes it difficult for the Administration to establish its credibility. This is playing politics with Vietnam.

#### NO COMMITMENT OF COMBAT TROOPS UNDER EISENHOWER

If the State Department document of March 4 were the only instance of distortion of history on the part of the Administration in explaining why American troops are fighting in Vietnam, it might be forgotten. But time after time, Administration spokesmen, including the President, have sought to make it appear that the steps taken since November of 1963 were forced upon it by commitments of earlier Administrations.

More recently, the Administration has de-emphasized the Eisenhower letter to Diem and has argued that the present military involvement in Vietnam results from the Southeast Asia Collective Defense Treaty signed at Manila on September 8, 1954.

This Treaty was not a commitment to send American troops to fight in Southeast Asia. It carefully avoided the kind of automatic response to aggression embodied in the NATO agreement, summarized in the principle, "An attack upon one is an attack upon all."

Section 1 of Article IV of the SEATO Agreement reads:

"1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations."

Secretary Dulles, testifying before the Senate Foreign Relations Committee on the SEATO Treaty, declared, "The agreement of each of the parties to act to meet the common danger 'in accordance with its constitutional processes' leaves to the judgment of each country the type of action to be taken in the event an armed attack occurs."

Further, Mr. Dulles said, the treaty "does not attempt to get into the difficult question as to precisely how we act . . ."

On the floor of the Senate in the debate on ratification of the SEATO agreement, on February 1, 1955, Senator SMITH of New Jersey clearly explained the nature of the commitment in these words, "Some of the participants came to Manila with the intention of establishing an organization modeled on the lines of the North Atlantic Treaty arrangements. That would have been a compulsory arrangement for our military participation in case of any attack. Such an organization might have required the commitment of American ground forces to the Asian mainland. We carefully avoided any possible implication regarding an arrangement of that kind."

"We have no purpose of following any such policy as that of having our forces involved in a ground war."

"Under this treaty, each party recognizes that an armed attack on any country within the treaty area would endanger its own peace and safety. Each party, therefore, agrees to act to meet the common danger in accordance with its constitutional processes. That means, by implication, that if any such emergency as is contemplated by the treaty should arise in that area it will be brought before the Congress by the President and the administration, and will be considered under our constitutional processes. We are not committed to the principle of NATO, namely, that an attack on one is an attack on all, calling for immediate military action without further consideration by Congress."

"For ourselves, the arrangement means that we will have avoided the impracticable overcommitment which would have been involved if we attempted to place American ground forces around the perimeter of the area of potential Chinese ingress into southeast Asia. Nothing in this treaty calls for the use of American ground forces in that fashion."

One academic authority, W. McMahon Ball, has written, "The treaty does not oblige the United States either legally or morally to take any course in Southeast Asia than the course it might be expected to take if the treaty did not exist."

Article IV of the Southeast Asia Collective Defense Treaty clearly reserves to each signatory the right to determine the nature of its response to armed aggression and does

not commit in advance any signatory to use its armed forces to deal with the aggressor.

Recognizing this fact, the Kennedy administration did not use American forces to repel Communist aggression in Laos.

The legal commitment of the United States to South Vietnam was the same as its commitment to Laos. Both of these countries of southeast Asia were brought under the protection of SEATO.

Lyndon Johnson as Vice President made it clear in 1961 that the United States had not up to that time committed itself to an obligation that would require employment of its military forces. In a memorandum to President Kennedy dated May 23, 1961, right after his return from a tour of Asia, Johnson wrote: "The fundamental decision required of the United States—and time is of the greatest importance—is whether we are to attempt to meet the challenge of Communist expansion now in southeast Asia by a major effort in support of the forces of freedom in the area or throw in the towel. This decision must be made in a full realization of the very heavy and continuing costs involved in terms of money, of effort, and of U.S. prestige. It must be made with the knowledge that at some point we may be faced with the further decision of whether we commit major U.S. forces to the area or cut our losses and withdraw should our efforts fail. We must remain master of this decision."

Finally, General Maxwell Taylor in testimony before the Senate Foreign Relations Committee on February 17, 1966, demolished the argument that there was any commitment to employ American troops in combat under the Eisenhower Administration in the following exchange with Senator BOURKE HICKENLOOPER of Iowa:

"Senator HICKENLOOPER. . . Now, up until the end of the Eisenhower administration, we had only about 750 military personnel in South Vietnam, did we not?"

"General TAYLOR. It was very small, something like that."

"Senator HICKENLOOPER. I think that is within 25 or 30 of the number, either way, and they were entirely devoted to giving technical advice on training to the South Vietnamese troops."

"General TAYLOR. That is correct."

"Senator HICKENLOOPER. To your knowledge, did we have any commitment or agreement with the South Vietnamese up to that time that we would put in action field military forces to conduct a war along with them?"

"General TAYLOR. No, sir. Very clearly we made no such commitment. We didn't want such a commitment. This was the last thing we had in mind."

"Senator HICKENLOOPER. When was the commitment made for us to actively participate in the military operations of the war as American personnel?"

"General TAYLOR. We, insofar as the use of our combat ground forces are concerned, that took place, of course, only in the spring of 1965."

"In the air, we had been participating more actively over 2 or 3 years."

When President Eisenhower left the White House, there were no American troops in South Vietnam. There were only approximately 700 military advisers. When President Eisenhower left the White House, there was no commitment to send American troops to South Vietnam.

Under President Kennedy, the first American combat casualties occurred in December 1961. Although President Kennedy increased the number of U.S. military personnel in Vietnam to 17,000, the American forces were there primarily to advise, not to fight.

The New York Times of August 19, 1965, correctly stated the case when it said, "The shift from military assistance and combat advice to direct participation by American

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troops in the Vietnamese war has . . . been a unilateral American decision . . . by President Johnson."

## THE HONOLULU COMMITMENT

I find it unbelievable that a State Department document dated March 4, 1966, purporting to explain the commitment of this nation in South Vietnam could avoid mention of the Honolulu Declaration of February 8, 1966. For Part IV of that Declaration is entitled, "The Common Commitment." It reads:

"The President of the United States and the Chief of State and Prime Minister of the Republic of Vietnam are thus pledged again:

"To defense against aggression,  
"To the work of social revolution,  
"To the goal of free self-government,  
"To the attack on hunger, ignorance, and disease,

"And to the unending quest for peace."

These are important and weighty commitments. Yet they go unreported in the State Department's survey of the commitment of the government of the United States to South Vietnam.

Mr. Speaker, I do not mean here to be critical of the actions of the President with relation to Vietnam. I simply plead that, when the Administration undertakes to defend itself against critics in the President's party, it present the facts and all the facts. Let the Administration acknowledge its decisions as its own and justify its actions on their merits.

## STATEMENT OF PERSONAL FINANCIAL CONDITION

(Mr. KASTEMEIER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KASTENMEIER. Mr. Speaker, following a practice adopted in 1963 and repeated in 1964 and 1965, I am placing in the Record today my annual statement of personal financial condition. In so doing, I would like to reiterate briefly comments made in the past in the House and in reports to constituents of Wisconsin's Second Congressional District. Members of Congress and holders of high elective office in general ought to make public disclosures as a matter of course. I would hope that ultimately both bodies of Congress would adopt a standing rule providing a periodic report of outside interests and income. Only in such a way will conflict-of-interests questions be best satisfied.

I would further hope that the 90th Congress will take up the question of a disclosure rule as one of the first items of business.

Mr. Speaker, my personal statement follows hereunder:

Robert W. Kastenmeier, statement of financial condition, Sept. 30, 1966

Cash on account with the Sergeant at Arms bank, House of Representatives	\$208.26
Securities	None
Residential real estate:	
House, Arlington, Va.: Purchase price	28,000.00
Less mortgage	17,708.60
Equity	10,281.40
Lot (cost less unsecured notes applied against purchase price)	12,700.00

Robert W. Kastenmeier, statement of financial condition, Sept. 30, 1966—Continued

Household goods and miscellaneous personalty	\$4,200.00
Miscellaneous assets: Deposits with U.S. civil service retirement fund through Sept. 30, 1966, available only in accordance with applicable laws and regulations	14,053.55
Cash surrender value of life insurance policies:	
On the life of Robert W.	None
On the life of Dorothy C.	544.00
Total	544.00
Automobiles:	
1963 Oldsmobile	1,500.00
1965 Chevrolet	1,600.00
Total	3,100.00
Total assets	45,097.21
Liabilities	None
Income for calendar year 1965 excluding congressional salary and expenses: speaking honorariums	300.00

## CORRECTION OF VOTE

Mr. WHALLEY. Mr. Speaker, on roll-call No. 301 I am recorded as not voting. I was present and voted "yea." I ask unanimous consent that the permanent Record and Journal be corrected accordingly.

The SPEAKER pro tempore (Mr. MATSUNAGA). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

## THE FIGHT AGAINST JET NOISE

The SPEAKER pro tempore. Under special order of the House, the gentleman from New York [Mr. WYDLER] is recognized for 15 minutes.

Mr. WYDLER. Mr. Speaker, the horrible damage of unabated and unrelenting jet aircraft noise cannot be fully understood by those citizens living outside the "jet alleys" of our Nation. To these people not oppressed by the harsh and shrill reality of aircraft noise, the problem seems purely academic or a mere annoyance. For this reason, it has been difficult to secure support for Federal programs specifically designed to alleviate the problem. Only recently has the administration acknowledged its responsibility. It has given lip service at last, but so far has avoided action which is necessary.

Last fall, I held hearings on the aircraft noise problem at the Elmont Road School in Elmont, N.Y. At that time, I told the people in the western half of the Fabulous Fourth Congressional District that I would prepare and send to them a report on this hearing, and subsequent findings, and a summary of what I believe to be workable solutions. The situation in Washington relative to this problem has been fluid and constantly changing. The congressional session is about to end. Mr. Speaker, the body of my address today constitutes that report.

The hearings in Elmont brought forth

many things we already knew, and exposed a few things we had only suspected. It was established that the chief source of aircraft noise was jet landings on runway 22L; that takeoff noise levels were measured and regulated by the New York Port Authority, but landing noise was not considered under the jurisdiction of the authority; and, that everybody is concerned about the problem, but—with few exceptions—looks to find a solution in the area of future technological advancement. Mr. Speaker, I emphatically disagree that relief must depend on more sophisticated technology and will explain in a few moments how it can be achieved under present conditions.

One of the new problems which is perhaps the most frightening was the revelation by Dr. Oscar Bakke, eastern regional director of the Federal Aviation Agency—FAA—that development of the C5A—our supersonic jet transport—is proceeding without any consideration of noise abatement and without any thought of satisfying the aircraft noise restrictions at Kennedy Airport.

It is inevitable that the monster aircraft of this prototype will use Kennedy Airport, yet planning continues in full knowledge that the first landing of this behemoth will greatly increase the aircraft noise generated. By refusing to act responsibly to correct this fearsome gap in the C5A program, the administration has been derelict in its duty. The lip service it has paid to the cause of aircraft noise abatement in the past was merely covering up a cynical disregard for a problem which just could not command national publicity.

Mr. Speaker, if the administration is not challenged in its present policy, life will become a hell on earth beneath the roaring engines of these giant aircraft in my district's "jet alley." It is almost unbearable with conventional jet planes; too many people suffer already.

Education, health, and religious worship have been shattered in "jet alley." Those low-flying jets on landing approach to runway 22L at Kennedy Airport pass over the roofs of more than 40 schools, thousands of homes, and scores of houses of worship. It has been estimated that \$874,824 in man-hours were lost in the schools along "jet alley" last year.

The injury to health caused by jet noise is the most convincing argument for immediate and drastic action. When a man is in good health, the noise of low-flying aircraft stops the normal activities of living. But when a sick man is involved, aircraft noise can impede recovery and cause aggravation of the problem.

Since taking up the cudgels for those in the path of runway 22L, I have received many unsolicited letters from well-respected physicians telling of the physical injury inflicted by the scream of jet aircraft. Dr. Benjamin Esterman, former president of the medical board at St. Joseph's Hospital in Far Rockaway and director of eye surgery, wrote to me soon after the Elmont hearings last fall. He complained:

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serious scientific, cultural or artistic contributions to the society of the host country.

The President and the Chancellor were happy to have had this opportunity to discuss together their common problems, as well as to renew their close personal friendship. They reaffirmed the friendship and trust which has developed between the people and governments of the United States and Germany. They expressed gratification at the results achieved by this meeting which should go far toward building even closer relations between themselves and with their partners, as well as toward improving future relations with the Eastern neighbors and other parts of the world.

The Chancellor extended an invitation to the President to visit the Federal Republic next spring; the President said that he would be most pleased to do so if his responsibilities permitted.

# IN SUPPORT OF PRESIDENT JOHNSON'S MANILA CONFERENCE AND AMBASSADOR GOLDBERG'S PROPOSALS AT THE U.N.

## MANILA CONFERENCE

Mr. DOUGLAS. Mr. President, I rise today to commend President Johnson for his acceptance of the invitation of President Marcos of the Philippines, to attend a conference in October of our Asiatic and Pacific allies. This is a constructive step. I welcome it. The Conference can serve as a prelude to negotiations between and among the belligerents themselves.

It is important that the United States be a party to any negotiations which may occur—and not be frozen out by other nations.

It is important that we be there because any agreement which may be achieved must be hammered out by the belligerents if an honorable peace is to be protected and enforced.

The Conference is a peaceful move. It is right. I commend President Marcos for his proposal and President Johnson for his prompt acceptance. It is yet another in the dozens of efforts which President Johnson has made to get the war settled at the negotiating table.

## MUTUAL DE-ESCALATION

Coupled with the proposal for a Manila Conference was Ambassador Goldberg's proposals at the United Nations last week, which undoubtedly represented the views of President Johnson. On behalf of our Government Ambassador Goldberg proposed that the United States stop the bombing of North Vietnam military targets provided that we are assured that this would be "answered promptly by a corresponding and appropriate de-escalation on the other side."

In addition, we offered to carry out a gradual withdrawal from South Vietnam provided this is also accompanied by a corresponding withdrawal of the North Vietnamese land forces from South Vietnam. Under the proposal, deescalation would be mutual and not one sided.

Mr. President, I submit that this is essential. A unilateral withdrawal by the United States would leave the country in the possession of the North Vietnamese Communist forces and would lead to the loss of that nation to the

free world. In my judgment it would also lead to the loss of most of the nations in southeast Asia. Any move toward peace should be mutual and not unilaterally imposed on the United States, or unilaterally carried out by the United States.

Our Government has made constructive proposals. There is nothing wrong with them. No fairminded person can object to them. There is very much to commend them. They are in line with U Thant's proposals made repeatedly over the last months that peace might be achieved in Vietnam by mutual de-escalation coupled with negotiations between and among the belligerents.

But these proposals have been spurned by Hanoi, by Peking, and by Moscow. They have been spurned as has every other attempt we have made to get to the negotiating table. Nevertheless, the proposals are right. They are constructive. They could lead to an honorable peace. I urge that the advocates of peace put pressure on Hanoi, on Peking and on Moscow to accept these proposals.

It might be appropriate for the peace groups to manifest the feelings of the American people by peaceful and orderly gatherings, conducted in good taste, in front of the Soviet Embassy. The Communist world should be pressed to accept our proposals to bring an honorable peace. Proposals to deescalate the war and to bring an honorable peace should be carried out mutually and not unilaterally.

I commend the President and the administration for their actions to get the issues off the battlefield and onto the conference table.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial published in the New York Times on September 29, 1966, entitled "The President's Appeal."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

## THE PRESIDENT'S APPEAL

There was an earthy eloquence—worthy of Nikita Khrushchev at his best—in President Johnson's latest appeal for the Soviet-American friendship and cooperation. He spoke of the weeds and the rocks he knew in the Texas of his youth; but the terrain of Soviet-American relations today is even weedier and rockier.

The Kremlin constantly cites Vietnam as justification for rejection of the President's calls for better relations. But Moscow would be wiser to realize that the Vietnam conflict makes it particularly important to try to reverse the deterioration of Soviet-American ties.

The American people and their Government have up to now preferred not to make an issue of Moscow's increasing arms shipments to Vietnam. Behind this self-restraint has been the belief that Moscow had to deliver supplies in order to weaken Peking's influence in Hanoi, and that when Moscow had a strong enough position in North Vietnam it would exert a constructive influence for peace.

But as yet, those hopes have not been realized. Recent Soviet public pronouncements—such as Foreign Minister Gromyko's speech at the U.N. last week—have served only to support Hanoi's refusal to negotiate, as does, of course, the steady flow of modern Soviet weapons—amounting to \$550-million last year.

And yet Moscow certainly knows as well as Washington that it is to her interest that the war in Vietnam come to a halt before it sparks a much wider and much more catastrophic conflict. Russian inability or unwillingness thus far to exert the necessary pressure on Hanoi for peace can only be a reflection of Moscow's fear of the charge of "appeasement" from Communist China and an indication of the intensity of the struggle between Moscow and Peking for control of the Communist world. To this extent, at least, Moscow has become Peking's prisoner.

Moscow must break out of that captivity if the world is to avoid enormous dangers. Nations, like individuals, can tire of unrequited courtship, and there are political forces in this country that would like to slam shut the door to Soviet-American friendship that President Johnson so stubbornly and correctly tries to keep open.

## NEEDED: A REBIRTH OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

Mr. HICKENLOOPER. Mr. President, in the September 1966, issue of the magazine Nuclear News, there appears a short article by Sterling Cole, former Member of Congress from New York, former Chairman of the Joint Atomic Energy Committee, and former Director General of the International Atomic Energy Agency. The article is entitled "Needed: A Rebirth of the IAEA"—that is, the International Atomic Energy Agency.

I ask unanimous consent that the short article be printed in the RECORD, including its title, and a brief biographical sketch under the picture of Mr. Cole, which picture, of course, will not be printed, but I ask that the biographical sketch be printed.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

## NEEDED: A REBIRTH OF THE IAEA

(By Sterling Cole)

FORMER DIRECTOR GENERAL PROPOSES SWEEPING REVISIONS OF THE AGENCY'S STATUTE

(NOTE.—Sterling Cole served in the U.S. House of Representatives from 1935 until he resigned in 1957 to become the first Director General of the International Atomic Energy Agency. While in Congress, he served as a member of the Joint Committee on Atomic Energy from 1946 to 1957, and was chairman of that committee (1953 to 1954) when the Atomic Energy Act was enacted. At present he is a member of the Washington, D.C., law firm, Cole & Norris.)

The Tenth General Conference of the International Atomic Energy Agency will open in Vienna, September 21.

As the Agency enters its tenth year as an international organ for the distribution of the blessings of atomic energy and the prevention of its uses for war and destruction, it is time for governments to take a close look and decide whether to put it to work as originally intended, or let it drift along as one more inspired dream for international peace and harmony allowed to wither away because of the blindness, pride, greed, jealousy, parsimony, and suspicion of governments. There are other international governmental institutions qualified to carry out the Agency's other, but nonetheless important, activities. The Agency is unique among international organizations only in its authority and capacity for eventual control over nuclear weapon material.

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## ARMS RACE GROWN

Since its creation, two more countries have openly—and boastfully—moved into the nuclear arms race, others are suspected of having plans to join the nuclear club and the whole world lives in dread—and disappointment.

So far as I am aware, not a single nuclear power plant capable of producing by-product weapon material has come under Agency control, other than two or three that have a psychological gesture and as vehicles to demonstrate and test the Agency's safeguard procedures. So far as I know, not a single grain of the tons of enriched nuclear material offered to the Agency at the outset has been sought by any country for use in a power reactor to generate electricity, yet many such reactors have been and are being built or planned. Why has the Agency thus been avoided or circumvented, and its objectives thwarted? In all fairness, it must be recognized that out of the Agency's nearly 100 members one, but only one, has by word and deed thus far shown its complete and unreserved submission to the Agency's authority. Could it be providential that the one country which has seen and felt the awfulness of atomic devastation should be the one to lead the way out of this nuclear nightmare? All hail to Japan!

Billions of words have been written and spoken of the need to establish control against nuclear proliferation; hundreds of millions of dollars have been spent in conferences and research on nuclear disarmament. Yet the world today, despite the test-ban treaty, is as far from nuclear control and disarmament as it has even been, except for the unique opportunity presented by a full and immediate exploitation of the potential of the IAEA.

## NO GRIST FOR MILL

For many years the Agency has had a system to safeguard nuclear materials under its control against diversion from peaceful uses. This system was not easily achieved, but, eventually, it has had the full support and affirmative approval of all countries of the world. Years ago the Agency developed the basis for an international arrangement to compensate persons for loss or damage from nuclear reactors; it has established rules for the safe transport and handling of radioactive materials; it has recruited a staff of competent scientists and administrators, many of them dedicated and selfless international servants, to supervise these activities. Administratively, the Agency is, and has been for years, all set to go; everything is in order, but there is no grist for its mill—and none seems in sight.

During the past decade there has been great change in the nuclear field; conditions, technology, and attitudes have improved immensely. Therefore, the time is ripe, in my view, for a re-examination of the Agency Statute so that it can be put to work effectively toward the great goal of diverting nuclear materials away from weapons and into plowshares. Certainly, the international climate seems to be more favorable for such a re-examination than it ever has been since the dawn of the atomic age.

## SPECIAL CONFERENCE

Accordingly, therefore, I propose that at the Tenth General Conference it be decided to convene a special conference next year, the tenth anniversary of the IAEA, for the purpose of drafting an effective and enlightened revision of the Statute. This could contain, and in my view should contain, the following major concepts, obligations, and provisions among others:

1. Each Member renounces the use of nuclear weapons as an instrument of national policy except in retaliation for a nuclear attack made upon it or upon another member.

2. No Member will hereafter construct a

nuclear weapon production facility or, having a present nuclear production capability, reactivate an old one or otherwise increase its production.

3. No Member will transfer any nuclear weapon to, or share its control or use with, another Member, nation, or group of nations.

4. No Member will sell or transfer to another Member or nation any nuclear material or facility, except through the Agency.

5. All Members will place under Agency safeguard supervision all existing and future national and international or regional nuclear power reactors.

6. No nuclear test or explosion will be conducted by any Member except as it may be approved and supervised by the Agency.

7. Each Member able to do so agrees to give to the Agency from time to time substantial amounts of nuclear material and equipment, making immediate transfer of custody and ownership thereof.

8. Nuclear material given to the Agency shall be sold by it only to Members and at a reasonable price which shall be uniform and non-discriminatory, and the proceeds shall be used to defray the costs of its administrative functions and technical assistance programs.

9. Agency benefits will be denied to any Member found in violation of its obligations and to any Member that has begun production of nuclear weapons or conducted nuclear weapon development since creation of the Agency.

10. Violations will provide basis for concerted action by the Agency independently or in concert with the United Nations.

11. Revised Statute to become effective when ratified by a majority of the present Agency Members, including the U.S. and USSR.

12. Realistic basis for selection of Members of Board of Governors and restricting authority of the Board to policy matters only.

13. Clarification and expansion of authority of Director General to make him, without question, the executive force in formulating and executing the Agency's activities.

## GOAL WORTH SEEKING

I confess that this is a very large order for a world conference to adopt, but it is a goal worth seeking and the acceptance of any one of these suggestions would be ample reward for the effort and expense involved. It can readily be seen that eventually the sale of the nuclear material would provide funds for all the Agency's activities and thereby relieve national treasuries of an annual levy; it would truly become a world bank of nuclear energy as originally conceived.

To be sure, gifts to the Agency of material by the nuclear powers represent substantial dollar values but that same material might otherwise remain sterile in national vaults and never be used, even for peaceful purposes. In any event, these sums would be no greater than the alternative costs of talk and research on the subject of disarmament.

Only as nuclear material is withdrawn from stockpile and placed under effective international control can there be genuine nuclear disarmament. Nuclear proliferation has been, and still is, the next greatest threat to civilization, second only to the population explosion. There is still time to deal with it effectively, but with each passing day the task becomes more difficult. We may pray that vision, wisdom, and courage may dominate the minds and hearts of our Government leaders so that mankind soon may be relieved of the threat of nuclear devastation.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## ERRONEOUS REPORT SHOWS NEED FOR ACCURATE JOB VACANCY SYSTEM

Mr. PROXMIRE. Mr. President, as chairman of the Subcommittee on Economic Statistics of the Joint Economic Committee, I would like to correct for my colleagues an erroneous report about the job vacancy situation recently published by the New York Times.

We are all aware of the tremendous journalistic contributions the Times has made over the years, and still provides daily. Its great resources, responsibility, talent, and integrity make the Times an essential part of each day for many of us.

But the Times is a human institution and therefore makes mistakes. On September 5, the Times made one. It stated flatly that some 4 percent of all jobs in the Nation are vacant. That statement is almost certainly wrong.

Although this assertion is incorrect, the article shows how urgently we need a thorough, definitive method of reporting and analyzing job vacancies. This need was spotlighted earlier this year in hearings before the Economic Statistics Subcommittee.

The Times article was based on a study by Manpower Research Council, a non-profit research affiliate of a great Milwaukee success story, Manpower, Inc., in conjunction with the American Society for Personnel Administration.

I ask unanimous consent at this point to have the Times article printed in the Record.

Since the 4-percent job vacancy seemed high to me, I asked one of the country's outstanding statistical experts, Arthur M. Ross, Commissioner of Labor Statistics, for an analysis.

Mr. Ross reported, and I quote briefly from his letter:

\*\*\* a survey showing 4 percent of all jobs in 773 companies vacant was "blown up" to 4 percent of all jobs in the national economy.

To generalize the situation in these participating companies was highly erroneous. Mr. Stanley Collins, Public Relations Director for the MRC, tells us that the survey was not intended as a scientific undertaking applicable to the Nation as a whole.

The 4 percent vacancy rate reported by the Council is substantially higher than rates found by the Department of Labor, in experimental job vacancy surveys conducted in 14 to 15 metropolitan areas during the past two years, with the cooperation of State employment security agencies. The areas covered account for about one-fourth of the Nation's nonfarm work force. All of these area surveys have indicated a rate of job vacancies for the United States much lower than 4 percent. In April 1965, for example, none of the 15 areas surveyed had a vacancy rate of more than 2 percent and the rate exceeded 1.1 percent in only one-third of the areas. Even in the tighter job market of April 1966, the majority of 14 surveyed areas had a rate of less than 2 percent and only 1 had a rate in excess of 2.4 percent.

The National Industrial Conference Board conducted three job vacancy surveys in the Rochester, New York, metropolitan area during 1965. Even in this relatively tight job market the job vacancy rate was found to be only 2.7 percent in May 1965 (excluding vacancies with future starting dates). In both



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secretary of state from the State of Michigan appointed an ombudsman to handle citizens' complaints within his department.

Many people in my own State are now considering the merits of creating an ombudsman for Missouri. An article recently appeared in the June 1966 issue of the *Journal of the Missouri Bar*, entitled "An Ombudsman for Missouri?" by Mr. Sidney L. Willens. Mr. Willens points out that Norman Anderson, the attorney general of Missouri, reports that his office receives a minimum of 25 complaints from the public per week, and Mr. Anderson says that his office is not equipped nor staffed to investigate all of these complaints.

Mr. President, General Anderson reports that his office receives a minimum of 25 calls a week. How many more citizens' complaints go unalred because the citizen just does not bother to complain or does not know where to complain, can only be left to speculation.

I ask unanimous consent to insert, at this point in the RECORD, the article referred to.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

## AN OMBUDSMAN FOR MISSOURI?

(NOTE.—Recently American attention has been drawn to a 157-year-old Swedish institution designed to protect citizens against abuses of ever-expanding bureaucracy in government affairs. In the following article the author says the time is ripe for Missouri to accept it.)

(By Sidney L. Willens)

In Missouri, or for that matter, anywhere in the United States, if a client feels that a policeman, building commissioner, tax board, license bureau or any public agency has treated him rudely, unfairly or illegally, he has a choice: complain to a superior, write a letter to an editor, scribble a message to a legislator or—go to a lawyer.

If he chooses a lawyer, you will advise him the law doesn't prescribe remedies for rudeness or unfairness in day-to-day dealings with public officials—only for illegality. And to prove illegality, you say, you must seek a hearing before the official or his superiors and, if necessary, appeal to the courts—a costly, tedious and lengthy process.

If your client favors an appeal, you hit him with a fundamental rule of administrative law—that courts seldom overturn an administrative decision. And if they do, your add, it must be clearly wrong, or in legal terms, "unsupported by the evidence."

Furthermore, you advise him that he's stuck with the evidence heard by the administrative official who is usually the prosecutor, judge and jury rolled into one.

"But I want a regular trial in a courtroom," your client insists.

"Sorry, you've had your 'day in court' when you testified at the original hearing," you reply. "You're lucky the statute gave you the right to appeal. Sometimes you're stopped dead with the agency."

"Even if you appeal it's the cold print that gets the hearing," you add. "Your appeal consists of forwarding the stenographer's transcript of the administrative proceedings to a court which determines if the evidence is sufficient."

Is a complaint to a lawmaker your client's remedy for bureaucratic rudeness or unfairness? Probably not. A congressman, state legislator or city councilman, burdened by ever-increasing duties involved in lawmaking, probably will answer his plight with a letter or call of sympathy.

And you have already said you're sorry—that you're handcuffed by the law.

"But the inspector is enforcing a regulation against me and not the others and it's killing me," your client insists bewilderedly. "It's unfortunate," you repeat ruefully, "but a lawyer can only complain for you. Administrative agencies are a sort of law to themselves."

Your answer is virtually the same whether a policeman used brutal tactics or held your client too long in jail, or red tape continually delayed his welfare check or license, or a government regulation seemed arbitrary.

Now if you were a Swedish citizen you would simply head for the ombudsman (pronounced AAM-boodsmahn). He's been around Sweden since 1809 when Parliament appointed an agent ("umboo" in Swedish) to keep an eye on the king and his henchmen and the courts of law.

His job: To ferret out injustice and pettiness in government affairs so a citizen's rights won't be accidentally crushed in the vast juggernaut of bureaucratic machinery.

Today the Swedish ombudsman is Alfred Bexelius, the country's 31st. He is called by the initials, J.O., an abbreviation for justitie-ombudsman, meaning the power to act in justice for another.

Presently, the J.O. heads a staff of nine lawyers and three secretaries. It's small on purpose—to avoid criticism that it, too, is bureaucratic. It serves Sweden's 7½ million persons.

Bexelius was hired, as were his predecessors, by a special act of Parliament. But neither it nor anybody else tells him what to do. The public is his master. Nobody fires a J.O. Parliament can but never has.

Bexelius is a former judge (most J.O.'s are), a top-notch administrator with diplomatic *savoir faire*, and an older man uninspired by new job opportunities.

In his 10 years in office Bexelius has established a reputation as a kind of Missouri non-partisan court plan all wrapped into one. Uninfluenced by political considerations he's a one-man complaint bureau accepting and deciding controversies on the merits.

How does the ombudsman idea work? First, he receives a complaint. It must be in writing and signed. The J.O. is the sole judge of whether he wants to act upon it. On 90 percent of the complaints he doesn't.

If he believes a complaint is justified Bexelius requests the official to explain his action. In 85 percent of the cases of the official's reply closes the file after the J.O. writes the complainant supplying him a reason why—and agreeing with him.

The complainant is satisfied. The official is too. He's been cleared. But in the future the official had better give reasons for his decisions.

In the remaining 15 percent of the cases pursued, the J.O. goes to work. He may visit the official, subpoena information or attend the agency's hearings and deliberations.

But the J.O. can't interfere with decision-making. Although he has broad discretion to investigate agencies under his jurisdiction he can only suggest and persuade. He's not a court of appeals.

What's his weapon? It's the prestige of his employer, Parliament, the dignity and impeccable honesty which Swedish citizens attach to the office—and publicity. A recalcitrant administrator doesn't want his name in the newspaper.

Frequently newspapers sniff out injustices for the public watchdog. If no action is forthcoming soon the newspapers ask in headlines, "Is the J. O. asleep?"

The J. O.'s biggest weapon is a book—his annual report to Parliament. Each year he lists all important cases and their disposition. He may propose new legislation or changes in administrative regulations to cure injustices he's come across during the year.

The book is distributed to all courts and government agencies.

Twenty per cent of the complaints originate from inmates of mental and penal institutions alleging unlawful commitment or improper treatment. Usually, the J. O. secures the patient's history, reviews it, and advises him the law has been complied with. If it's improper treatment, the J. O. may visit the institution to size up the situation. His visit isn't taken lightly by administrators. The J. O. himself initiates some complaints.

The Swedish J. O. exercises jurisdiction over the courts (in no other country does he have that right) but not over the armed services. Parliament created an M. O. (military ombudsman) in 1915.

In 1919 Finland adopted the ombudsman idea. Surprisingly, it stopped there until after World War II. During Nazi occupation of Norway, Norwegian army officers sheltered in Sweden were favorably impressed by the Swedish M. O. They carried it back to Norway. In 1952 the Norwegian Parliament accepted it. In 1962 it added an ombudsman for civil affairs. Denmark included a provision for an ombudsman in its new constitution adopted in 1953. In 1958, West Germany appointed a military ombudsman.

Perhaps the greatest impetus to the ombudsman idea has come from Bexelius and his Danish counterpart, Dr. Stephan Hurwitz, a former professor of criminal law at the University of Copenhagen.

The two men are writing and lecturing widely to spread the ombudsman gospel around the world—for all levels of government—federal, state and municipal. Through their efforts a commonwealth country, New Zealand, adopted the institution in 1962.

In the United States Representative HENRY S. REUSS of Wisconsin last year introduced the concept in the House of Representatives in a bill calling for an "administrative counsel" which he describes in the CONGRESSIONAL RECORD as an "American ombudsman." Last March Senator EDWARD LONG, chairman of the Senate subcommittee on Administrative Practice and Procedures, held hearings on the ombudsman concept beginning with the testimony of Bexelius.

Ombudsman proposals are currently being debated in California, Connecticut, Illinois, New York and Utah and by the New York City Council. The literature on the ombudsman is extensive. A bibliography of English-language materials alone fills seven typewritten pages.

Is Missouri ripe for an ombudsman perhaps operating offices in St. Louis and Kansas City? Norman Anderson, attorney general, says his first assistant, J. Gordon Siddens, receives a minimum of 25 complaints a week from puzzled and irate citizens unable to cope with the maze of administrative agencies in state government.

"We aren't equipped or staffed to investigate all the complaints pouring into our office," Anderson says. "There is no question an ombudsman would fill a need which is becoming increasingly obvious."

The Attorney General is merely confirming what every Missouri lawyer knows—that Missouri, like the federal government, has grown a "fourth branch"—administrative agencies which are exclusive of the other three with its "checks and balances" called for by Montesquieu and expressly written into our state Constitution.

## THE FORTHCOMING MANILA CONFERENCE

Mr. McGEE. Mr. President, in last night's Evening Star, Crosby S. Noyes has written some commonsense observations about the forthcoming Manila Conference. He sees it as completely worthwhile, far from full of the dangers some

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And the national government is developing techniques for controlling pollution and programs for training technicians so desperately needed in cities and states. It will double any money that localities put up to cleanse their own air.

Nevertheless, the national atmosphere continues to get worse. The country has more gasoline, more fuel oil, more trash to burn every year, more people to do it, more of them congregated in cities already polluted, but no more air than before. A third of the states have no one concerned with their air, and most of the remainder have only a token employee. It is estimated that a good local air-pollution program costs 40 to 50 cents per capita a year, but most places spend nothing.

A total program that with present knowledge could reduce the pollution levels would cost three billion dollars a year. Such a program might even stem the appalling growth of respiratory disease among urban Americans.

When President Johnson signed the Clean Air Act Amendment last October, he quoted author Rachel Carson: "In biological history, no organism has survived long if its environment became in some way unfit for it, but no organism before man has deliberately polluted its own environment."

This summer I was driving down a Los Angeles freeway with John Sheehan, a businesslike, 38-year-old graduate engineer who inspects refineries for the county air-pollution district. He pointed through the windshield and informed me that the Hollywood Hills were 10 miles in front of us and that years ago you could see them quite clearly most of the time. That day there was nothing but a light-brown blankness. The air-pollution index printed in the paper that morning had not been particularly high, but the surrounding haze obliterated the land, irritated the eyes and caused a dryness like the onset of a sore throat.

"Now look out your window, straight up," he said.

Directly overhead was a brilliant, blue, clear sky.

"The inversion today is at maybe one thousand feet," Sheehan said. "So straight up you're looking through only one thousand feet of smog. Down here you're looking straight through ten miles of it. And breathing ten miles of it. Just one thousand feet over us the air is clean and clear and full of that good old oxygen."

Sheehan shrugged. "But, of course, you and I are down here."

We're all down here.

#### LEGISLATIVE REORGANIZATION ACT OF 1966

Mr. MONRONEY. Mr. President, yesterday the Democratic policy committee met to consider the scheduling of floor business for the remainder of this session. Following the meeting, the distinguished majority leader announced that it would not be possible to call up the Legislative Reorganization Act of 1966 prior to adjournment. However, he did express the hope of the policy committee that consideration of this bill would be one of the first orders of business next January.

I am naturally disappointed that it has not been possible to schedule this bill for floor consideration this session. Of course, I am sympathetic with the scheduling problems facing the leadership with the logjam of appropriations bills and other important measures which require action before adjournment. The leadership has been most cooperative in attempting to arrange a time during

which the bill could be scheduled and I speak for the entire joint committee in expressing appreciation for this effort.

I am also aware that portions of the bill are controversial. A number of Members have indicated that they will vigorously oppose certain sections. Apparently, the portions causing greatest concern are those altering the jurisdiction of a few standing committees in an effort to create a better distribution of the legislative workload. I expect that these provisions will be thoroughly discussed and amendments will certainly be offered when the bill is eventually considered.

But let us be frank about this matter—both with ourselves and the public. The subject matter of a reorganization bill is Congress itself. We cannot make proposals for congressional reorganization without affecting the prerogatives and positions of seniority of some Members. Each proposal must be considered on its own merits to determine if it is beneficial to this body as a whole.

I am also grateful for the assurances made to me by members of the policy committee that they recognize the importance of the joint committee's study over the past 18 months and the necessity of its receiving proper consideration by the Senate. The majority leader's statement that this was an item of the highest priority and should be one of the first orders of business of the next session is most encouraging. I think the Senate has made it clear that it does not intend to evade its responsibilities in this measure of fundamental importance to the continuing vitality of the legislative branch.

With this in mind, there may be advantages to the consideration of the bill in January. Since the joint committee's report has been published since July, and the bill and report have been available since September, no Member of this body could logically argue that he will not have had sufficient time to study its provisions and suggest modifications. Since it will take some time for the legislative program of the next session to reach the floor, this should be ample opportunity for a thorough floor debate on these proposals. No one can contend that the bill was hastily prepared or insufficiently considered because of the press of other legislative business.

So let us prepare for the task. I hope each Member will carefully study the provision of this bill during the next 3 months. The joint committee and its staff stand ready to meet with any committee or individual Member to discuss the bill and ways it might be improved. Then, next January, we can join together in taking decisive action to modernize Congress for the challenges which lie ahead.

Mr. BOGGS. Mr. President, it is unfortunate that the crowded legislative schedule has put off until next year action on the bill to improve the organization and operation of Congress.

The Joint Committee on the Organization of the Congress worked for a year and a half sifting recommendations from Members of Congress and others. Its final report contains more than 100 recommendations for improvements and

these recommendations are reflected in the bills which have been introduced in each House.

At least it is reassuring to hear the distinguished majority leader's hope that the Legislative Reorganization Act will be one of the first items of business to be considered when Congress reconvenes in January.

As the chairman of the Special Committee on the Organization of the Congress has said, the joint committee's work would be nothing more than an "academic exercise" if it were not followed by legislative action. As a member of both committees I am vitally concerned in seeing that our work is not wasted.

Members of the bipartisan joint committee worked diligently to explore, refine and improve the recommendations we received.

The bill before the Senate would strengthen the committee system. It would improve congressional consideration of the budget. It would help Members of Congress by giving them better quality and quantity of information. It would resolve a number of institutional problems.

Finally, and this is especially important, it would create a Joint Committee on Congressional Operations which would continue the essential task of keeping congressional operations in step with the times.

It was 20 years ago that the La Follette-Monroney committee drew up the series of recommendations which established the standing committee system which we have today and improved congressional machinery in other ways. Today's tempo demands that we keep a constant watch on ways to do the job of Congress better. This Joint Committee on Congressional Operations would handle that task.

Any large business is constantly searching for better methods and procedures. The legislative body dealing with the business of the Nation can do no less.

Mr. President, it has been a privilege to work with the other members of the joint and special committees. Again I regret that circumstances prohibit action now on the legislation we have introduced and I share the hope that when Congress reconvenes this legislation will get early consideration.

#### OMBUDESMAN FOR MISSOURI

Mr. LONG of Missouri. Mr. President, early this year, the Subcommittee on Administrative Practice and Procedure, of which I am Chairman, began looking into the concept and office of ombudsman. The response to our inquiries and hearings has been most gratifying. Great interest has been stimulated in a national ombudsman. Legislation which I cosponsored has been introduced to create a tax ombudsman and I have introduced a bill to establish an ombudsman for the District of Columbia.

Now, it is my understanding that bills to create municipal and State ombudsmen are being introduced in many States throughout the Nation. Recently, the

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have ascribed to it, and eminently useful to the United States, South Vietnam, and our allies. I would not completely subscribe to all that Mr. Noyes writes, Mr. President, when he refers to the "agonizingly slow" economic and social progress in Vietnam since the last conference, in Honolulu. I personally feel that under the conditions in Vietnam, progress has been good and that we ask too much when we ask for overnight transformation in a land wracked by war. Nevertheless, Mr. Noyes' observations are, indeed, worthwhile themselves. I ask unanimous consent that his column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

**EXERCISE IN TOGETHERNESS LIKELY AT MANILA**  
(By Crosby S. Noyes)

From all the indications, the meeting in Manila next month between President Johnson and our six Asian allies will be neither a peace parley nor a council of war but an exercise in togetherness.

The essential purpose is to emphasize the fact that Viet Nam and the United States are not alone in their fight against aggression from the north. Invitations of the parley issued by Philippine President Ferdinand Marcos to Korea, Thailand, New Zealand and Australia, as well as the United States and South Viet Nam, were intended to dramatize the collective nature of the effort.

And since this is the primary objective, most of the hopes and doubts that have been expressed about the conference are groundless.

Senator J. WILLIAM FULBRIGHT's judgment that Johnson will try to create the impression of "great earnestness and a desire for peace" will probably not be borne out by anything that is said at Manila. And his complaint that the meeting can accomplish little because these are "all our boys" completely misses the point. It is precisely the fact that all our boys have never been brought together in the same room before that the meeting is long overdue.

The prospects for peace, the military situation and plans for Viet Nam's political, economic and social development all figure, to be sure, on the official agenda. But there is good reason to believe that no very startling decisions will be made at Manila in any of these areas.

When it comes to the prospects for peace and the efforts of the U.S. government to start negotiations, there is something less than perfect unanimity between the allies. Certainly, Johnson will not find himself under any pressure from anyone at the meeting to go further than he already has in meeting the conditions for peace talks laid down by the government in Hanoi.

In fact, it is likely to be the other way around. The military regime in Saigon has often expressed misgivings about the successive American "peace offensives" and continues to press for the vigorous prosecution of the war. The Koreans, with nearly 45,000 combat troops in Viet Nam, are hardly less militant.

Thailand's foreign minister, Thanat Khoman, while calling for an all-Asian peace conference, has also gone out of his way at the United Nations to denounce "so-called liberals" who would be willing to settle the war to the advantage of the Communists. And Australia's foreign minister took the same occasion to warn of the dangers to peace in Asia that would result "if hostilities ceased on unjust terms."

On the other hand, the Manila meeting is not likely either to turn into a confab of hawks.

Premier Nguyen Cao Ky's government at

this stage has been too much of a lame duck since the elections in Viet Nam to speak with much authority on the future conduct of the war. The contribution of the others to the effort hardly carries decisive weight. And, contrary to persistent rumors, there is no evidence here that the meeting in Manila will foreshadow a major escalation of the war following the American elections.

There will, certainly, be a good deal of emphasis on the nonmilitary aspects of the Vietnamese struggle. All of the allies—and particularly Johnson and Marcos—are agreed on the urgent need for economic and social reform in Viet Nam and the rapid development of representative government there.

But even on this subject, there will be some inhibitions. Since the conference at Honolulu between Johnson and Ky last February economic and social progress in Viet Nam has been agonizingly slow.

The ringing declarations made at that meeting have been more of an embarrassment than an inspiration in the subsequent months. Another series of bold new promises at Manila would only serve to underscore the gap between words and deeds.

Even if its practical results are unspectacular, however, the meeting will not be a waste of time for anyone concerned. The allies have welcomed it as a boost for their own prestige and a gesture of acknowledgment for their support in the joint effort.

Even for Johnson, the dividends may not be inconsiderable. Heaven forbid, of course, that anyone should suggest a political motive in the timing of the meeting just before the November election or hint that the invitation from Marcos was anything but his own inspiration.

These things just happen this way. But it also just happens that Viet Nam is a large issue in the coming election. And the President could hardly ask for a better way to dramatize it in the positive, hopeful way that voters just happen to approve.

**JOSEPH A. CALIFANO, JR., SPECIAL ASSISTANT TO THE PRESIDENT, CITED AS JUSTINIAN SOCIETY "MAN OF THE YEAR"**

Mr. DOUGLAS. Mr. President, the President of the United States is assisted in carrying out his tremendous responsibilities by an able personal staff. Not only are the members of his personal staff able, they are also dedicated and work quite anonymously to serve both the President and the Nation.

I was very pleased when the Justinian Society of Lawyers honored one member of the President's staff, Mr. Joseph A. Califano, Jr., recently by their Man of the Year award for 1966. The annual inaugural reception and award dinner of the Justinian Society of Lawyers took place on Monday, September 26 in Chicago. Mr. Califano gave a fine speech of acceptance for the award in which he emphasized the fulfillment of the individual, which is the fundamental concern of the Great Society. I ask unanimous consent that Mr. Califano's address, "Justice and the Great Society," be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

**JUSTICE AND THE GREAT SOCIETY**

(Address by Joseph A. Califano, Jr., Special Assistant to the President, in accepting the Man of the Year Award for 1966, at the annual dinner of the Justinian Society of Lawyers, Chicago, Ill., Sept. 26, 1966)

I want to thank you, most sincerely, for this award.

I am grateful and honored. I am deeply moved by the opportunity I have had to serve my country and my people. As you know, there are hundreds of Califanos and Musmannos among us. If their lives had been touched by the Governor of Pennsylvania or the President of the United States, they might be standing here in my place.

And there are hundreds of Smiths and Schwartzs and Sanchezs, who deserve similar recognition—and who, I hope, will receive it from as wonderful and distinguished a group as you are here tonight.

We are proud of our ancestry. Our ancestors gave Western civilization the longest period of peace it has ever known. They carried Christianity to the four corners of the ancient world. For two thousand years, our people have given the world a large share of its greatest art, its greatest music and its greatest scholars.

Italians have always been explorers and immigrants. Justinian—the great codifier—was himself an explorer and an immigrant. For an obscure immigrant to rise to great heights was, in Justinian's place and time, an exceptional occurrence. In our own time, in this country, it is commonplace. As President Johnson said when he signed the 1966 Columbus Day Proclamation, "every citizen of America is the descendant of men who were once foreigners—strangers from far off."

Those of us in this room have been enriched by our Italian heritage. We are better citizens because of it and, as parents, we have something special to give our children.

But the time has passed when immigrants from Italy formed a bywater in the American landscape, when they were not fully accepted in the melting pot of America, when their primary reason for association was protection against a scornful majority. Those who came to America themselves, or whose parents or grandparents came, have, by their deeds and service, earned the right to be considered part of the heart of America.

We have become part of the country's mainstream, both as lawyers and Americans. As such, we have responsibilities to fulfill, as well as pride to share.

There are responsibilities we share with all Americans. But as members of the legal profession, we hold a special trust which takes on critical importance in these times of electric change and monumental complexity.

It is to maintain justice in the Great Society.

The modern age has brought us great abundance and unparalleled prosperity. But with abundance comes the danger of anonymity, and with prosperity, the danger of losing perspective.

The loneliness of the large city has replaced the friendliness of the rural hamlet. Supermarkets with anonymous clerks and thousands of products have made the corner grocery obsolete. Computers are the bill collectors of 1966. The mass production of automobiles exceeds our ability to construct roads. And real estate is owned by men who never see it.

Never has the task of preserving personal identity been more difficult. Never has there been such an assault on the individuality of man. Organized society threatens to engulf the individual—with its super-marketplace, its super-university, its overcrowded courts, its big unions, its big corporations and its big governments.

We must not lose the individual in the forest of statistics we use to serve him better.

We must not lose the child in the computer we use to improve his education.

We must not become so efficient, so vast, so complex that we lose sight of our real goal—to enhance the inner glory of each person in our society. This is the goal of the Great Society.

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The Great Society is not a huge society, but a just society. What is justice in the Great Society? It is, as President Johnson said, "to fulfill the fair expectations of man,"—to preserve and enhance man's liberty, dignity and opportunity, so that the individual can develop himself to the fullest extent of his ability.

There can be no Great Society without great individuals. And the former is in reality only a collection of the latter—as it was in the Athens of Pericles, the Rome of Justinian, the France of Mollere, the England of Elizabeth. Thus, when the President talks of a Great Society, he speaks of his attempt to preserve and fulfill the individuality and spirit of each of its citizens.

The problem for lawyers in a society of this size and complexity is not to change the concept of justice for which our forefathers struggled. It is to develop the techniques to fulfill the full promise of justice for every individual in this land.

That promise—that challenge—is simply to preserve man as an individual. It is to give man an opportunity for self-development, a fair chance in the marketplace, and justice in the courts.

#### I. CONSIDER, FIRST, MAN'S QUEST FOR INDIVIDUAL DEVELOPMENT IN SOCIETY

Here is where some of the most far-reaching achievements of the Great Society have their place:

The Head Start program, preparing hundreds of thousands of needy 4- and 5-year olds, so that the public school system can be more than a stop on the road to the welfare rolls or the county jail.

The Elementary and Secondary Education Acts, to give our children and our teenagers the preparation they need to become skilled and productive citizens.

The college scholarship and building programs, to bring us closer to the day when an individual's educational level will be determined by his ability, and not the thickness of his father's wallet.

The Manpower Development and Training Act, providing an opportunity for the individual to achieve the skills essential for survival and employment in a society of rapid change and increasing specialization.

Medicare and the Heart, Stroke and Cancer acts, to add not just more years to the life of our citizens, but more life to their years.

The point of this legislation is to provide for the development of the whole man—his body, his mind and his spirit. Too often—and it is an unfortunate reflection of modern-day America—these legislative achievements are measured by how they look on a boxscore, not how they help the individual. The significance of this legislation lies in the fact that, for the first time in history, an Administration has looked at the whole man—at all stages of his life—and has asked: what should be done to uplift his spirit, maintain his dignity, preserve his individuality and enlarge his horizons.

The Great Society legislation is an explicit and boldly proclaimed recognition:

That different human beings of different ages, at different social levels, in different parts of this country, need varying kinds of assistance to fulfill their fair expectations and to achieve full individuality.

That government can no longer stand idly by and say to a million poor 4-year olds: "You are a problem solely for your parents; and if they do nothing for you, neither will we."

That a shoemaker's son, with the basic ability, has as much right to become a surgeon as a doctor's son.

That man's inability—or, indeed, his failure—to save enough money during a lifetime of work should not condemn him to poverty and curable disease for his last years on earth.

That a man's nationality is no more rele-

vant at an immigration station than his color is at a voting booth.

It is significant that the Federal government has recognized—clearly and unequivocally—the critical importance of a commitment to the individuality of man in a complex society. It is even more important that this Administration realizes that its actions to date represent only the first steps in the direction of fulfilling that commitment.

#### II. CONSIDER MAN'S QUEST FOR FAIRNESS IN THE MARKETPLACE

No area of modern society presents more difficult problems than protecting the welfare of the individual consumer in the marketplace of the 1960's. Here we must give the individual—whether a housewife in a supermarket or a young father buying his first automobile—a chance against the array of multi-million dollar advertising agencies and corporations; and at the same time, preserve for the individual the benefits of a competitive society.

It is here that the President has pressed some of his most imaginative legislative proposals.

For the housewife, now faced with a supermarket of 8,000 products, anonymous retailers and persuasive advertisers, he has recommended a Truth-in-Packaging Bill. It is based on the simplest of all concepts—that the average buyer has a right to know what is in the package and a right to make a reasonable price comparison, without the need for a slide rule or a degree in mathematics.

For the automobile buyer, we have moved to provide a reasonably safe car, and a better than even chance to avoid injury on the highways of the country.

For the child, whose aspirin is now candy and whose stuffed animals may have toxic eyeballs, the President has proposed a Child Safety Act. Again, it is the application of a simple concept to the 1960's—children do not know that fire burns until they are scarred. But in modern-day America, with safety caps and harmless eyes for panda bears, there is no excuse for killing a child to teach him or his parents a bitter—and irrevocable—lesson.

For the millions of Americans who borrow money to buy their homes, who sign installment contracts for their cars and their television sets, and who clothe their families through revolving charge accounts, the President has endorsed Truth-in-Lending proposals, an area in which Senator PAUL DOUGLAS has done pioneering and outstanding work. Again, the concept is simple—a citizen has a right to know how much it costs him to borrow money.

The sophistication of our lawyers and our accountants has made usury laws obsolete and ineffective to protect the average citizen. In response, much more sophisticated legislation is required. When we have reached the point where some salesmen would prefer to finance your purchase on their installment plan, rather than to have you pay cash, we have reached the point where you are no longer on equal footing in the marketplace for money.

#### III. CONSIDER, FINALLY, MAN'S QUEST TO MAINTAIN HIS DIGNITY

In an age of crowded courts which too often render a mass production justice which is neither true nor certain; in an age of electronic achievement which sends a man to the moon and puts a "bug" in a martini; in an age where television may have a greater influence on a child's development than all the teachers he meets in the classroom—in such an age, man's quest for dignity must not become a futile pursuit.

It is in this area that the Great Society faces its most profound challenge. It is here that the search must be intensified for

new remedies, for new techniques, for dramatic changes in our laws.

It is in this area that the Administration has just begun to move. In the Bail Reform Act, 175 years of freedom based on man's ability to pay bail was turned aside for a new age of freedom based on man's personal responsibility. In a variety of little noticed civil procedure laws, we have come to recognize that the doctrine of sovereign immunity—that the king can do no wrong—may have little or, indeed, no relevance, where it operates to weight the scales of justice heavily against the individual. For the first time, the government is generally subject to a statute of limitations and must pay the costs of litigation when it loses in the courtroom.

But much more remains to be done.

What good is an overcrowded court to a tenant who cannot find his landlord and who cannot pay for a lawyer—until after the bitter cold of winter has left his child sick with pneumonia? In a speech at Syracuse a few weeks ago, the President called upon the Attorney General and the best legal minds of this country to devise Twentieth Century procedures and concepts for what is acutely a Twentieth Century problem. He asked that the whole concept of landlord-tenant law be rethought—for it will serve little purpose if it protects the property only to destroy the person.

Laws to protect the person must stay astride of new technology. Every state in the Union has laws protecting the individual against a peeping Tom. But how many states have laws protecting against invasions of privacy in the Twentieth Century form—the peeping Tom in the olive of a martini, or in a tie clasp, or on a telephone line?

The record of the Administration in preserving man's dignity from overt forms of discrimination is unparalleled. The President has proposed legislation—and the Congress has enacted most of it—assuring equal rights in the voting booth, in the courtroom and in the employment office. But thoughtful men must certainly be concerned about the subtle and more insidious forms of discrimination—whether it is the blackball in the country club or fraternity, or the stereotype on television. If there are legal remedies—or procedures—to handle these problems, we have not yet found them.

Legal procedures must also recognize the intimate involvement of government at every level in the life of every citizen. Most people never see a courtroom in their lifetime. Many never see a lawyer. But no longer can man go through life in our society without dealing with government at the city, at the state, and at the Federal level every week. Yet, what are his remedies when an official unjustly withholds a driver's license, or a social security payment is too low or too late, or a college loan is improperly denied? And how can remedies be shaped to give the citizen a fair chance without obstructing vital work of government?

These are some of the most difficult questions for a lawyer in the Great Society. We must increasingly give our attention to them. For man's ability to give justice to the individual is challenged as never before by technological change and by man's own genius to deny him justice, whether intentional or not.

I began this evening with the ancient question—what is justice?

In a Great Society, justice means the fulfillment of man's fair expectations, the fulfillment of the individual.

There is nothing more precious than the individual. And there is nothing more essential to a Great Society than the preservation of individuality.

We have come a long way. But, at best, we are only approaching the end of the beginning.

Individuality is not as easy to preserve in